

1652#

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: KIMCHI=2A

In re Application of:)	Art Unit: 1652
KIMCHI et al. 719)	Examiner: M. Monshipouri
Appln. No.: 09/718,748)	Washington, D.C.
Filed: December 15, 2000)	February 25, 2003
For: DAP-KNASE RELATED PROTEIN)	
Confirmation No.: 4171)	

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INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir :

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

[X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:

(Check one of the boxes A-D)

[] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

☐ B. before the mailing date of a first office action on the merits or before the mailing of a first Office action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.

☒ C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary certification (box "i" below) or paid the necessary fee (box "ii" below).

(Check one of the boxes "i" and "ii" below:)

☐ i. Counsel certifies that, upon information and belief, each item of information listed herein was either

☐ (a) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

☐ (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in §1.56(c) more than three months prior to the filing of this IDS.

(use one and delete other of following)

☐ ii. A check (check no. _____) for the fee set forth in §1.17(p), presently believed to be \$180, is enclosed. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035.

☒ ii. Credit Card Payment Form, PTO-2038, is attached authorizing payment of the fee set forth

in \$1.17(p), presently believed to be \$180. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035.

[] D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant(s) state as follows under 37 CFR \$1.97(e) for consideration of this IDS, that, upon information and belief, each item of information listed herein was either

(Check one of the boxes "a" and "b" below)

[] (a) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

[] (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in \$1.56(c) more than three months prior to the filing of this IDS.

(use one and delete other of following and this note)

A check (check no. _____) for/ Credit Card Payment Form, PTO-2038, is attached authorizing payment of the fee set forth in \$1.17(i), presently believed to be \$180 is enclosed. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035.

[X] 2. In accordance with 37 CFR \$1.98, this IDS includes a list (e.g., form PTO-1449) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached.

(check boxes A and/or B and fill in blanks, if appropriate)

☐ A. Document(s) _____ is (are) deemed substantially cumulative to document(s) _____, and, in accordance with \$1.98(c), only a copy of each of the latter documents is enclosed.

☐ B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

(insert serial numbers and filing dates of prior applications)

Applicant(s) identifies these documents by attaching hereto copies of the forms PTO-892 and PTO-1449 from the files of the prior application(s) or a fresh PTO-1449 listing these documents, and request that they be considered and made of record in accordance with \$1.98(d). Per 37 CFR \$1.98(d), copies of these documents need not be filed in this application.

☐ 3. Document(s) _____ is (are) not in the English language. In accordance with \$1.98(a)(3), Applicant(s) states:

☐ An English translation of each document _____ (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.

☐ A concise explanation of the relevance of document(s) _____ is found in the attached _____ search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).

☐ A concise explanation of the relevance of document(s) _____ is set forth as follows:

(insert concise explanation of relevance)

[] A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.

[] A concise explanation of document(s) _____ can be found on the attached sheet.

[X] 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

[] 5. Other information being provided for the examiner's consideration follows:

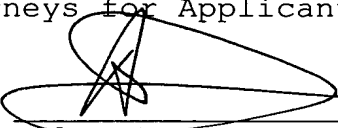
(insert other information)

6. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant(s) reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

BROWDY AND NEIMARK
Attorneys for Applicant(s)

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Complete if Known

Application Number	09/719,748
Filing Date	February 27, 2001
First Named Inventor	KIMCHI et al.
Group Art Unit	1652
Examiner Name	M. Monshipouri
Attorney Docket Number	KIMCHI=2A

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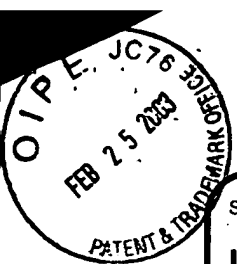
Sheet	1	of	3
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Attorney Docket Number	KIMCHI=2A
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OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	AD	Cohen, O., Feinstein, E., and Kimchi, A., "DAP-kinase is a Ca ²⁺ /calmodulin-dependent, cytoskeletal-associated protein kinase, with cell death-inducing functions that depend on its catalytic activity", <u>EMBO J.</u> , 16, 998-1008, 1997.	
	AE	Cohen, O., Inbal, B., Kissil, U., Feinstein, E., Spivak, T., and Kimchi, A., "DAP-kinase participates in TNF- α and Fas-induced apoptosis and its function requires the death domain.", 1. <u>Cell. Biol.</u> , in press, 1999.	
	AF	Deiss, L.P., Feinstein, E., Berissi, H., Cohen, O., and Kimchi, A., "Identification of a novel serine/threonine kinase and a novel 15-kD protein as potential mediators of the gamma interferon-induced cell death.", <u>Genes Dev.</u> , 9, 15-30, 1995.	
	AG	Deiss, L.P. and Kimchi, A., "A genetic tool used to identify thioredoxin as a mediator of a growth inhibitory signal.", <u>Science</u> , 252, 117-120, 1991.	
	AH	del Peso, L., Gonzalez-Garcia, M., Page, C., Herrera, R., and Nunez, G., "Interleukin-3- phosphorylation of BAD through the protein kinase Akt.", <u>Science</u> 282, 318-321, 1997.	
	AI	Green, D., and Kroemer, G., "The central executioners of apoptosis: caspases or mitochondria?" <u>Trends Cell Biol.</u> , 8, 267-271, 1998.	
	AJ	Gross, G. et al., <u>Proc. Natl. Acad. Sci. USA</u> 86, 10024-82 1989.	
	AK	Hanks, S.K., and Quinn, A.M., "Protein kinase catalytic domain sequence database: identification of conserved features of primary structure and classification of family members.", <u>Methods Enzymol.</u> , 200,38-62,1991.	
	AL	Inbal, B., Cohen, O., Polak-Charcon, S., Kopolovic, J., Vadai, E., Eisenbach, L., and Kimchi, A., "DAP kinase links the control of apoptosis to metastasis.", <u>Nature</u> , 390, 180-1-04, 1997.	
	AM	Jacobson, M.D., Weil, M., and Raff, M.C., "Programmed cell death in a animal development. <u>Cell</u> , 88, 347-3 54, 1997.	
	AN	Kawai, T., Matsumoto, M., Takeda, K., Sanjo, H., and Akira, S., "ZIP kinase, a novel serine/threonine kinase which mediates apoptosis.", <u>Mol. Cell Biol.</u> 18, 1642-1651, 1998.	
	AO	Kelliher, M.A., Grimm, S., Ishida, Y., Kuo, F., Stanger, B.Z., and Leder, P., "The death domain kinase RIP mediates the TNF-induced NF-kappaB signal.", <u>Immunity</u> , 8, 297-303, 1998.	

Date
Considered

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.



Substitute for form 1449A/PTO

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 3

Application Number	09/719,748
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First Named Inventor	KIMCHI et al.
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Examiner Name	M. Monshipouri
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OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	AP	Kimchi, A., <u>J. Cell. Biochem.</u> , 50, 1-9, 1992.	
	AQ	Kimchi, A., "DAP genes: novel apoptotic genes isolated by a functional approach to gene cloning.", <u>Biochim. Biophys. Acta</u> , 1377, F13-33, 1998.	
	AR	Kissil, J.L., and Kimchi, A., "Death-associated proteins: from gene identification to a the analysis of their apoptotic and tumor suppressive functions.", <u>Mol. Med. Today</u> , 4, 268-74, 1998.	
	AS	Kissil, I.L., Cohen, O., Raveh, T., and Kimchi, A., "Structure-function analysis of an evolutionary conserved protein, DAP3, which mediates TNF- α - and Fas-induced cell death", <u>EMBO J.</u> , 18, 3 53 -362, 1999.	
	AT	Kogel, D., Plottner, O., Landsberg, G., Christian, S., and Scheidtmann, K.H., "Cloning and characterization of Dlk, a novel serine/threonine kinase that is tightly associated with chromatin and phosphorylates core histories.", <u>Oncogene</u> 17, 2645-2654, 1998.	
	AU	Levy et al., <u>Mol. Cell. Biol</u> , 13, 7942-7952, 1993.	
	AV	Levy-Strumpf, N., and Kimchi, A., "Death associated proteins (DAPs): from gene identification to the analysis of their apoptotic and tumor suppressive functions." <u>Oncogene</u> , 17,3331-3340, 1998.	
	AW	Maundrell, K., Antonsson, B., Magnenat, E., Camps, M., Muda, M., Chabert, C., Gillieron, C., Boschert, U., Vial-Knecht, E., Martinou, J.C., and Artkinstall, S., "Bcl-2 undergoes phosphorylation by c-Jun N-terminal kinase/stress-activated protein kinases in the presence of the constitutively active GTP-binding protein Rac1.", <u>J. Biol. Chem.</u> , 272, 25238-25342, 1997.	
	AX	McCarthy, I V., Mi., I., and Dixit, V.M., "RIP2 is a novel NF-kappaB-activating and cell death-inducing kinase, <u>J. Biol. Chem.</u> , 273, 16968-75, 1998.	
	AY	Park, J., Kim, I., Oh, Y.J., Lee, K., Han, P.L., and Choi, E.J., "Activation of c-Jun N-terminal kinase antagonizes an anti-apoptotic action of Bcl-2.", <u>J. Biol. Chem.</u> , 272, 16725-16728,1997.	
	AZ	Sanjo, H., Kawai, T., and Akira, S., "DRAKS, novel serine/threonine kinases related to death-associated protein kinase that trigger apoptosis.", <u>J. Biol. Chem.</u> , 273, 29066-29071, 1998.	
	BA	Stanger, B.Z., Leder, P., Lee, T.H., Kim, E., and Seed, B., "RIP: a novel protein containing a death domain that interacts with Fas/APO-1 (CD95) in yeast and causes cell death.", <u>Cell</u> 81, 513-523) 1995.	

Examiner
SignatureDate
Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

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Sheet	3	of	3
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